CHAPTER-I
INTRODUCTION

Gandhiji rightly said about importance of consumer:

"A customer is the most important visitor on our premises. He is not dependent on us. We are dependent on him. He is not an interruption in our work he is the purpose of it. We are not doing him favour by serving him. He is doing us a favour by giving us the opportunity to serve him."

Gandhi's words place the consumer on a very high pedestal. But the consumer's high place is only a myth so far as the Indian economy is considered. Indian consumer is an utterly helpless fellow. He has no say in the quality or nature of goods that are sent to the market for his consumption.

For buying variety of goods and services we pay and consume them in our daily life. We all are consumers. In fact, everybody in this world is a consumer. Globalisation, industrialization and urbanization takes the world too close that makes availability of any goods and services in any corner of the world whether it is urban or rural. Resultant of which is increase in consumerism. Needs for different goods and services are rising rapidly in all parts of the Country. Fascinated rural population in India demand for different consumer goods and services is also on high rise.

Over the past few years rural India has witnessed an increase in the purchasing power of consumers, accompanied by their desire to upgrade their standard of living. The steps taken by the Government of India to address the poverty have improved the condition of rural masses. As a result, rural consumers largely use popular consumer goods such as mobile, Television set, motor cycles, cosmetics, agricultural equipment’s, seeds, pesticides, insecticides and medicines for human being, as well medicines for animal, etc. Rural consumers cover more than 60% of market of FMCG (Fast moving consumer goods). They also avail services such as telephone, mobile, banking, motor insurance, life insurance, Medical etc.

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2 Rural Consumers and Role of Local Bodies in Consumer Protection. George Cherian
A majority of consumers in the rural area are illiterate; they are not able to distinguish between the genuine and the spurious or the good and the bad product or services. It is mainly these consumers who suffer at the hands of unscrupulous businessmen. They are also suffering from a total absence of awareness among themselves. They know nothing about their rights; they are ignorant of the law. Therefore the rural consumer is often deceived by the manufacturer, trader, shopkeeper, and service provider. Therefore in today’s situation it is very essential to protect the rural consumer.

1.1. Significance of Study:

We purchase goods and services from manufacturer, producer, distributer etc. Their goal is to earn profit. They do not consider consumer’s protection and deprive consumers of basic rights such as right to be informed about the quality, quantity, potency, purity, standard and price of goods and services as the case may be, they buy or avail of. General public is not even aware about these rights.

Thus consumers are being exploited at the hands of manufacturers, producers, providers, and distributers etc. that are carrying their business in the name of any corporate organisation such as Indian Companies or Multi-national Companies in India.

1.2 Factors Responsible for Exploitation are as under:

1.2.1 Adulteration

Adulteration means mixing or substituting undesirable materials in food. This causes heavy loss to the customers such as monetary loss as well as spoils their health.

1.2.2 Black Marketing

Trader generally holds the stock of essential commodities to create artificial scarcity in the market and manipulate price of goods and services and sell their commodities at higher price. The consumers are exploited when the goods and services are not available in the market as per demand. They manipulate the prices of their products by making them non-available for certain period. So the prices rise high and the benefit goes to that particular group causing loss to the customers. This makes or gives chance for black marketing & hoarding of the goods and services.
1.2.3 **Illiteracy and Ignorance**

Illiterate people are very easily exploited by the sellers. Due to low literacy the level of consumer consciousness in our country is very low. It benefits the producers and sellers in keeping the rates of their products high and earns more profit.

1.2.4 **Spurious Goods**

There is increasing supply of duplicate products. It is very difficult for ordinary consumers to distinguish between a genuine product and its imitation.

1.2.5 **Deceptive Advertising.**

Some businessmen give misleading information about quality, safety and utility of products. Consumers are misled by false advertisement and do not know the real quality of advertised goods.

1.2.6 **Malpractices of Businessmen**

 Fraudulent, unethical and monopolistic trade practices on the part of businessmen lead to exploitation of consumers. Consumers often get defective, inferior and substandard goods and poor service.

Consumer movement started in India in 1960 demanding separate legislation for protection of rights of Consumer and penalising unfair trade practices. Measures were required to protect consumers against exploitation. Certain consumer protection legislations were enacted after independence of India. It includes the Essential Commodities Act of 1955, the Prevention of Food Adulteration Act of 1954 and the Standard of Weights and Measures Act of 1976.

In addition to the remedies under Contract and Criminal Law, consumers have rights under the Tort Law. Based on its numerous legal intricacies, however, the Tort Law is not the ideal remedy for consumers in India. For example, the traditional doctrine of negligence imposes heavy responsibility on the plaintiff to prove each of its required elements. These traditional legal requirements naturally encourage consumers to pursue legal remedies under different Laws. Not surprisingly, it is

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3 An advertisement of any product and fault therein comes under preview of unfair trade practice. Therefore, medicine which guaranteed the birth of male child is unfair trade practice, as held in Consumer Education and Research Society v/s M/s Vasu Pharmaceuticals, II (1992) CPJ 508 (NC)
estimated that for about half a century from 1914 to 1965, only 613 Tort cases came before the appellate courts.\(^4\)

The orthodox legal requirements under the Law of Torts and Contracts forced the policy makers to draft specific legislation to protect consumers. As a result, the Consumer Protection Act of 1986 (for the sake of convenience hereinafter referred to as the ‘Said Act’) was enacted with the objective of providing “cheap, simple and quick” justice to Indian consumers. The Said Act was passed by the parliament in 1986 and came into force with effect from July 1, 1987 for the protection of the consumers from unscrupulous producers and dishonest traders. The Said Act is amended in the year 1991, 1993 and 2002.\(^5\)

Under the Said Act ‘Consumer’ means any person who buys goods or services for a consideration which has been paid or promised or partly paid and partly promised, or under any system of deferred payment and uses.\(^6\)

Object of the Said Act\(^7\) is to provide better protection of the interests of consumers and for that purpose to make provision for the establishment of consumer councils and other authorities for the settlement of consumer’s disputes and for matters connected therewith.\(^8\) It seeks, inter alia, to promote and protect the rights of consumers such as-

- the right to be protected against marketing of goods which are hazardous to life and property;
- the right to be informed about the quality, quantity, potency, purity, standard and price of goods to protect the consumer against unfair trade practices;
- the right to be assured, wherever possible, access to an authority of goods at competitive prices;
- the right to be heard and to be assured that consumers interests will receive due consideration at appropriate forums;

\(^4\) Figure quoted from B. M. Ghandhi: Quoted in S. K. Kapoor: Law of Torts. Pg.3
\(^6\) Section 2(1)(d) of the said Act.
\(^7\) Consumer Protection Bill 1986 and the Preamble of the Said Act.
\(^8\) Ibid
the right to seek redressal against unfair trade practices or unscrupulous exploitation of consumers; and

right to consumer education.

Therefore it is necessary to take steps to create legal awareness and simultaneously to bring some changes in the present Consumer Disputes Redressal Mechanism which will give speedy, easy and less expensive justice to all Consumers and particularly rural consumers.

1.3 Object of the Research:

The researcher has concentrated on the position of the rural consumer & the effect of Consumer Protection law in rural India, in regards to achieve the objective of the research and to reach at proper conclusion.

The objects sought by establishing Consumer Protection Council at the Central and State level, by setting up quasi-judicial machinery at the District, State and Central levels are to provide speedy and simple redressal to consumer disputes. These quasi-judicial bodies observe the principles of natural justice and have been empowered to give relief of a specific nature and to award, wherever appropriate, compensation to consumers. Penalties for noncompliance of the orders given by the quasi-judicial bodies have also been provided.

But the questions arise about the law i.e.:

1) Whether these goals have been achieved?

2) Whether consumers in all part of our Country are being protected?

3) Whether consumers in rural and urban India can avail similar protection?

4) Are they aware about their rights as a Consumer?

5) Whether consumer exploitation has decreased after the enactment of the Consumer Protection Act?

6) Whether qualities of products and services have improved for the benefit of the consumers after the implementation of Consumer Protection Act 1986?

Aims of this research are to find answers to these questions.
1) In India 68.84% Population stays in rural India and 31.16% Indian Population stays in urban area\(^9\). As per the Census 2011, out of the 121 crore Indians, 83.3 crore live in rural areas while 37.7 crore live in urban areas. The National Council of Applied Economic Research (NCAER) survey report says that there are 720 million consumers across the villages are in rural India. Hence, the development of the nation largely depends upon the development of the rural population. Majority of the rural population is dependent upon agriculture for their subsistence.

2) Rural consumers largely use popular consumer goods such as mobile, Television set, motor cycles, cosmetics, agricultural equipments, seeds, pesticides, insecticides and medicines for human being, as well as medicines for animal, etc. Rural consumers cover more than 60% of market of FMCG (Fast moving consumer goods). They also avail services such as telephone, mobile, banking, motor insurance, life insurance etc.

Even today majority of rural Indian are illiterate and largely depend on agriculture and agricultural produce. They purchase goods such as different qualities of seeds, pesticides and insecticides, tractor, different agricultural tools, equipment and machinery. Manufacturer of these goods are staying in big cities and the villagers have to deal with distributors/sellers that do not have complete knowledge about products and do not take any responsibility for defective products. Ultimately rural consumers have to suffer losses. In such a case can a rural consumer get remedy in this situation? Answer is negative.

Rural Consumers are not aware about their rights as a consumer. Also they are not aware about the Law. Some may know, however they prefer to stay aloof as they can’t afford expense for approaching consumer forums which is established in all districts only. The said Act has several drawbacks due to which rural consumer can’t get easy, cheap and timely remedy. Therefore rural consumers prefer to stay aloof and allow themselves of being exploited at the hands of manufacturers and service providers.

Many villages are located far from the Districts. All the Consumer Councils and Forums established under the Act are at Districts only. If any rural consumer would like to file a complaint against any manufacturer, producer, service provider he

has to come to district. Reaching at district is not enough he has to get his Complaint typed on a plain ledger paper; it should be in specific format. Moreover in the year 2012, National Consumer Commission introduced several technical rules for filing Complaint which should be strictly followed and failure of which results into returning the Complaint or rejecting the Complaint. How could poor, illiterate, middle class or even upper class consumer comply with these requirements?

It is true that there are several drawbacks in the Said Act as all people in all the corner of our Country are not benefited. Exploitation of consumers is continued for years and years. Researcher has decided to analyze the Said Act and find out solutions as to how the rural consumers get benefit of this social legislation.

Researcher has confined her study to rural consumers in Jalgaon District of Maharashtra. This research has been conducted to bring forth the Social facts of exploitation of rural consumers at the hands of the manufacturers, producers, distributors, service provider etc. and suggest several solutions to stop this exploitation. Rural consumers in Jalgaon district would definitely be benefited by this research.

“India is not Calcutta and Bombay, India lives in her seven hundred thousand villages”, Said Mahatma Gandhi. It is true even today. More than 60% of Indian Population stays in rural India.10

Illiteracy, poverty, lack of awareness about rights and law, exploitation, tendency to keep quiet and not raising voice against exploitation, apprehension about taking legal course, not filing complaint, are major problems among rural consumers which keep them away from legal remedy that the said Act created for them.

If the gap between rural consumers and legal remedies available for them go on increasing resultant of which is again exploitation at the hand of Manufacturers, producers, distributors, service providers which are profit oriented. No research has been conducted in this area and no steps have been taken by the Government to make the said Act more effective for rural consumers.

Therefore researcher has chosen this subject. The significance of this research for the rural consumers particularly in Jalgaon District is to create:

10 Ibid.
legal awareness

speedy, cheap and timely remedial mechanism

speedy justice mechanism

different measures to culminate exploitation of rural consumers

So that rural consumer in Jalgaon district will know his rights and he can raise voice against exploitation, agriculturist in Jalgaon district can buy seed and other agricultural goods with caution and if in any case it turns defective he can take recourse to legal remedies available and get justice.

1.4 Problems Faced by the Rural Consumers:

Consumers may be deceived in various ways by unscrupulous businessman including traders, dealers, producers, manufacturers as well as service providers. Some common rural consumer problems are discussed below:

1.4.1 Artificial Scarcity of Seeds:

Manufacturers and traders create artificial scarcity of seeds and fertilizers during season for sowing and harvesting with a view to earn profits as farmers purchase in black marketing by paying two to three times more.

1.4.2 Sub-Standard Quality of Seeds and Pesticides:

Majority of Rural consumers are farmers. They purchase seeds, fertilizers and other chemicals, agricultural tools and machinery. Many times these goods turn defective as they are supplied sub-standard quality of seeds, pesticides, insecticides and fertilizers etc. by the traders.

1.4.3 Duplication of Goods:

Many people duplicates/IMITATES goods for the purpose of sale using the direct molding process. Many Fast Moving Consumer items are duplicate in rural market. For example Parle-G biscuit, teeth cleaning product that is tooth paste etc., shampoo, Soaps, Cosmetics, shaving products, toiletries, soft drinks etc. Non-Durable Products

11 18th, 25th, June 2008 ‘LOKMAT’ Newspaper, publish in Jalgaon District.
12 7th June 2010. ‘LOKMAT’ Newspaper, publish in Jalgaon District.
13 http://www.yourarticlelibrary.com/marketing/rural-marketing/rural-marketing-12-problems-faced-in-rural-marketing/32331/
for example Glassware’s, bulbs, batteries, plastic goods etc. An automobile parts dealer procures substandard & duplicate parts, packs them in wrapper and makes profit.

1.4.4 Retailers keep certain medicines in their shops. Those medicines are expired and harmful. For example Crocin, Anacin, Vicks vaporub etc.

1.4.5 Adulteration of oil\textsuperscript{14} has become rampant, with a wide variety of oils available in the market; the consumer is not sure what combination of oils he gets when he buys it loose from the market. It is very harmful and hazardous to health when mixed with crude castor oil, industrial palmolein-oil, mineral oils etc. This is certainly a crime against humanity aimed at earning money at the cost of public health by keeping moral values aside.

e.g. Culprits remove oil from the tins of reputed good brands and mix it with ordinary palm oil or any other variety of cheaply available oil. Across the country implementation of food laws has been extremely tardy. Traders and others are able to get away with adulteration because Government’s food quality inspection services are not strict. So it is the responsibility of consumers to come forward and fight against adulteration in food products. He should not rely on government because this adulteration is affecting their health. If common man boycotts using adulterated food products then demon of adulteration will automatically disappear from our country permanently.

1.4.6 Mixture\textsuperscript{15}

The detection of animal body fat in ghee is difficult as the mixture has more or less the same physical and chemical characteristics as pure ghee. Unfortunately most labs in India do not have the equipment to test adulteration in ghee. They can simply say that the ghee is adulterated. To stop this adulteration every consumer has to take part in it by not buying desi ghee brands which has doubts and buying it only from reliable source or from the shop where you trust.

1.4.7 Rural consumers don’t get electronic goods at MRP printed on products:

They have to pay huge amount as they lacks in knowledge about that electronic goods such as mobile phones, refrigerators, Television sets, Electronic toys,

\textsuperscript{14} 24 Feb. 2008. ‘SAKAL’ Newspaper, publish in Pune District.
\textsuperscript{15} http://www.nios.ac.in/media/documents/secbuscour/english/chapter-18.pdf
Flat screen televisions, Digital cameras, Media players, PC notebooks, Electrical goods such as Refrigerators, Washing machines, Microwave ovens, Vacuum cleaners, Irons. Sometimes they get duplicate goods.

e.g. A distributor, who has brought goods in rural market, put his own price label against the MRP and claims that it includes its transportation charges. Poor consumers have to purchase it as they don’t know they can challenge the same before Consumer forum and also avail other remedy under other laws.\textsuperscript{16}

1.4.8 Price of Consumer goods traded in the markets is settled arbitrarily by the manufacturers. Even you can realize that in a market where within one city, different products have different rates of taxes, it becomes very difficult for consumers to check whether retailers are actually charging the correct amount of local taxes on the products they sell. Therefore the confusion in respect of price of the goods is natural for the consumer and the manufacturers gain huge profit as the actual manufacturing cost is very low. The manufacturers arbitrarily fix the price and the consumers are compelled to purchase goods at higher costs.\textsuperscript{17}

1.4.9 The Information on Products is not available in Local Language.\textsuperscript{18}

Under the Weights and Measures (Packaged Commodities) Rules, all packed goods should carry certain essential information on the contents of the package, such as its weight or volume, the name and address of the manufacturer, the date of manufacture, and in case of food packages, the best before date and, of course, the maximum retail price (MRP). This information is not available in local language. Government should compel manufacturer to provide this information in local language and compel distributors, provider to explain the same to rural consumers.

Rural consumers face all these problems and being exploited by manufacturers, service provider. Government silently watching this practice to grow for years and allowed money minded traders not only to earn huge money but also play with the health of innocent people of this country. No one has considered what is good for Consumer in spite of being the King of market.

\textsuperscript{16} 4\textsuperscript{th} Sep. 2007 ‘DESHDUT’ Newspaper, publish in Jalgaon District.
\textsuperscript{17} Ibid.
\textsuperscript{18} Emerging challenges & opportunities in consumer confrontation – Joyeeta Gupta Vol.7 No.3 March ’87 Pg. no 2
Thus the rural market grows in such a rapid pace, the quantum of consumer grievances also increase simultaneously. The main problems faced by rural consumers are related to seeds, pesticides, fertilizers, adulteration, short weighing and measuring, lack of safety and quality in appliances and equipment, unfair warranties and guarantees, imitation and sales gimmick, tricks, unreasonable pricing etc.

1.5 Need of Consumer Protection In Rural Area:

The necessity of adopting measures to protect the interest of rural consumers arises mainly due to their helpless position and the unfair business practices. No doubt consumers have the basic right to be protected from the loss or injury caused on account of defective goods and deficiency of services. However, rural consumers are unable to make use of their rights due to lack of awareness or ignorance. For example, as consumers we have the right to choose the goods of right quality from a variety of similar goods available in the market. But often we fail to make the right choice because of misleading advertisements by which we are carried away and buy sub-standard goods. Under certain circumstances, we are helpless in the sense of our inability to verify the quality of products. The clever shopkeeper can deceive us by his persuasive words. If the date of expiry on a strip of medicinal tablets is not legible, we may be in a hurry and depend on what the seller tells us. If the medicine does not have the desired effect, we may go to the doctor again and request him to prescribe some other medicine, we forget that the medicine we bought might not have had the effect as we were supplied the medicine after its date of expiry.

Processed food sold in packets, like potato chips, are not good for health. But young boys and girls buy these because they are tasty. Certain brands of soft drink are popular with young people as the brand ambassadors shown on the Television (TV) are popular film artists or cricketers and what they say carries lot of weight with their fans. Excessive use of soft drinks is also not good for health. If seems we have forgotten fresh lime water with sugar or salt as a good drink.

Producers of goods often put standard certification marks like ISI on the package which are genuinely certified. Similarly, if packaged goods are sold short of weight we pay for, it is very difficult to verify always the weights before buying. Sometimes the weighing machines are defective.

http://www.noios.ac.in/media/documents/secbuscour/english/chapter18
Majority of Rural consumers are farmers. They purchase seeds, fertilizers and other chemicals, agricultural tools and machinery. Many times these goods turn defective as they are supplied adulterated seeds, pesticides, insecticides and fertilizers etc. by the traders.\textsuperscript{20}

Often we are guided by some of our beliefs without any basis. For instance, many of us believe that ‘\textit{higher price indicates better quality}’ and so do not mind paying higher price for a product if the salesmen recommend it to be of good quality. Again, it is a common belief that imported goods are inevitably of a superior quality. So if there is a printed label or a mark that shows a product is made in a foreign country, we may buy it at a higher price without verifying its place of manufacture.\textsuperscript{21}

Above all, consumers are not fully aware of remedies open to them if goods are defective or there is deficiency of service.

\textbf{1.6 Position of the Rural Consumers in Jalgaon District:}

Jalgaon District is located in the north-west region of the State of Maharashtra. It is bounded by Satpuda mountain ranges in the north, Ajanta mountain ranges in the south. It hosts a population of about 4 million in an area of about 11,765 sq. km. Jalgaon consist of \textbf{15 Taluka}, consisting of \textbf{1510 villages}. Majority of population stays in rural areas\textsuperscript{22}.

In Jalgaon district 60\% of income depends on agriculture. Farmers purchase seeds, agricultural equipment’s, medicines, fertilizers, pesticides and insecticides. Manufacturers target these consumers for defective goods intentionally. Manufacturers, service provider gives false promises to rural consumers.

In \textbf{Alakabai Dharmasinh Patil V. Aceagro Bioscience Ltd.\textsuperscript{23}} Opposite Party has supplied tissue Banana Plants with a promise that he would earn Rupees four lac per acre. However the Complainant could not earn even Rupees one lac out of this, filed a complaint before district forum claiming Rupees six lac compensation for loss incurred and District forum awarded Rupees 1,05,110/- Compensation and 3000 compensation for mental torture and 2000 cost of the Complaint. The Complainant

\textsuperscript{20} Information collected from daily ‘LOKMAT’ Newspaper 7th June 2010
\textsuperscript{21} Information collected from daily ‘DESHDUT’ Newspaper 4th Sep 2007
\textsuperscript{22} http://jalgaon.nic.in/Html/District_At_A_Glance.htm.
\textsuperscript{23} 2011 Jalgaon district forum
would have incurred more for following this Complaint for more than one year and would have undergone mental torture too at the time of enforcement of this Order. Such decisions encourage manufacturers, service providers to gain more profits and exploit rural consumers.

Moreover, from last 4 to 5 year in Jalgaon district the Manufacturers created artificial scarcity of seeds and fertilizers in season for sowing and harvesting with a view to earn profits as farmers purchase in black marketing by paying two to three times more.

Seeds and fertilizer distributors, dealers and retailers in Jalgaon and Dhule Districts have refused to acquire and disburse fertilizer stocks which raise black marketing of seeds and fertilizers. The cultivators have to purchase for double price otherwise they would suffer loss when appropriate growing ends.

In Jalgaon, many villages lacking in good medical facilities and primary health centers as they have to move to Taluka Place for basic medical needs.

Water, electricity is also one of the essential commodities. Rural consumers pay for them, however, does not get up to the mark services from suppliers. They suffer losses due to cut in electricity and water.

The rural consumers never get LPG (Liquefied Petroleum Gas) cylinder in time in spite of it being essential commodity. They have to come to Taluka Place to get cylinder, at high price. The same is against provisions of Essential Commodities Act, 1995. A rural consumer does not know it.

**1.7 Consumer Forum in Jalgaon District:**

Jalgaon District Consumer Redressal Forum is established in 1990. Till the end of December 2012, total number of Consumer Complaints filed before the Forum is 12,100 out of which 9625 are filed under Section 12 of the Act and disposed of 2665 enforcement application are being filed before the Forum, out of which only 4 applications are disposed of. It shows 5135 consumers’ disputes are pending and many consumers are waiting for justice.

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24 As the Complaint was filed one 07/09/2011 and decided on 30/04/2013, http://164.100.72.12/ncdrcrep/judgement/21463130508162202688CC%20384-2011.pdf
27 Punjab State Electricity Board Ltd.V. Zora Singh. 2006 S.C. 182
28 Information collected from District Consumer Forum in Jalgaon.
Out of the total number of cases only 7 to 8 percent of cases are filed by the rural consumer relating to bogus seeds, fertilizer, and pesticides.

Another fact is that the position of the Consumer forums in many district are so bad. They are not functioning due to vacant post of president or members. Study shows that not a single consumer complaint is decided within six month from the date of filing a complaint.

For consumers protection and consumer should get justice, the Hon’ble Supreme Court has decided many cases. Also the Hon’ble Supreme Court has given attention to consumers that they will not face any kind of problem or difficulty. In many cases the Supreme Court, has reiterated rights of consumers. However rural consumers have not benefited with the machinery established for protection of these rights. Exploitation of consumer is still continued.

1.8 Hypothesis:

This research study is based on drawbacks in Consumer Protection Act. This Act is not implemented at grass root level as rural consumer has not been considered at the time of enactment of the Act. This subject has been chosen by the researcher to get solution to problems of rural consumer. It is based on following hypothesis:

1. Rural consumers are being exploited due to poverty, illiteracy and technicalities in getting justice.
2. Rural consumers are not aware about their rights.
3. Consumer Protection Act does not protect rural consumers.
4. There is need to establish Consumer Forum at Taluka places in the district.
5. There is need to amend the said Act so that it protects the rights of rural consumer.

The Researcher has aimed to find solutions to above problem and bring forth a situation of rural consumer in Jalgaon District and give suggestions to problem that are faced by the rural consumers. The researcher has study cases decided by Jalgaon

District consumer forum, State Commission and the National Commission and highlight decisions which have impact on life of rural consumers.

**Researcher Intends To Analyses the following:**

1. Consumer protection law in historical perspective.
2. Historical development in Indian legal system.
3. How is this law implemented at the grass root level?
4. Response to the system.
5. Whether it has been successfully reached the common people and rural area?
6. What method can be evolved to generate awareness among the common people especially the rural and illiterate people?
7. Whether the figures collected are satisfactory?
8. Is there any lacuna in the law?
9. Whether there are any chances of any kind of improvement?
10. What would be the possible suggestions to the government to protect the rural consumer’s interest by guaranteeing their legitimate right?

**1.9 Research Methodology:**

The method of the study is doctrinal and non-doctrinal type of research. The doctrinal method is used by the researcher to analyze the consumer protection Act and other statutory provisions relating to consumer protection, the cases decided by the consumer forum in Jalgaon District, review of the Judicial Decisions. The non-doctrinal method is used by the researcher to conduct the survey by personal interview of the rural consumers and members of the Jalgaon District Forum, and also distributed the questionnaire and collected the responses from the rural people. This method helps the researcher for the study.

**1.10. Tools of research:**

The researcher has gone through various Laws, Books, E-Books, Article’s, Law Journals, E-Law Journals, and Foreign Consumer Law etc.

**Sources of Data:**

1) The primary Sources:
A) Consumer Protection Laws.

B) Cases decided by the Consumer Forum held in Jalgaon District.

C) Judicial Decisions.

2) Secondary Sources:

A) Interviews of Rural Consumers.

B) Distribution of Questionnaire to the rural people and collected their responses.

C) Information from daily newspapers, magazines, Observation.

D) Websites. The list of website is referred in Webliography.

1.11. Conclusion:

In modern days, it is said that the consumer is the king of the market. Business activities are carried out to satisfy, the wants of consumers. A commercial organization totally depends on the customer not only for its survival but also for its growth. At present customer is given top most importance and every attempt is made to satisfy the customer on what is necessary. But in reality, the position of the consumer is different. He is like a slave. He is exploited by well-organized and well informed sellers by charging higher prices, by supplying poor quality goods, even by supplying adulterated goods, short weight, misleading advertisement, etc. Customers are still un-organized and have no idea about their basic rights.

It is unfortunate but also the reality in India, or for that matter in most developing countries. Marketplace distortions exist in developed countries too. Consumers are, more often than not, taken for granted.

The major problem is that there is a plethora of laws but poor enforcement (implementation), on the one hand. On the other, the sheer population creates market asymmetries. Bureaucratic insouciance, inertia and the ubiquitous corruption and the overall lack of good governance worsen these two factors.

It is presume that everyone should know law when it comes to him or her for reciprocation. We cannot ignore the law. We live in the society of law where every individual is bound to know and behave accordingly. Around 35% of India’s population is illiterate. Majority of Indians live in villages. Bulk of the illiterates is
also in the rural areas, where social and economic barriers play an important role in keeping the lowest strata of society illiterate. Even those who are literate are helpless and confused when there is a violation or infringement of a right enforceable in law. Legal literacy is required at large in India. Our society is filled with consumers whose rights are violated on a daily basis and they are unable to take any action to remedy this situation simply because they aren’t even aware that they are assured certain rights such as Right to safety, Right to be informed, Right to choose, Right to be heard, Right to seek Redressal, Right to consumer education, Other rights: Healthy environment; Trade codes etc.\(^{30}\)

There is not much development in rural part of the Country. Even today majority of rural Indian are illiterate and largely depend on agriculture and agricultural produce. They purchase goods such as different qualities of seeds, pesticides and insecticides, tractor, different agricultural tools, equipments and machinery. Manufacturer of these goods are staying in big cities and the villagers have to deal with distributors, sellers that do not have complete knowledge about products and do not take any responsibility for defective products. Ultimately rural consumers have to suffer losses. For example consumers in Jalgaon District, have not got basic services like communication, banking, health centre, transportation, electricity etc. in spite of payment they have made for it. Quality of services is also bad. It is very depressing within 30 years of the Enactment of Consumer Law, the Government has failed to create awareness that consumers have some assured right and they can protect it by taking recourse to the Consumer law. The Government has not taken any effort to know that does the Said Act reaches to the rural Indians.

Appropriate technology and creative media could be used to raise awareness. The relevant resource materials in regional languages could be made available in hard copies as well as in soft copies through internet. The Gram Panchayats also can consider using media such as documentary films, street plays, competitions etc. to spread consumer awareness. The services of government primary school teachers could be utilized in conducting consumer awareness programmes.

\(^{30}\) Dr. Laxman Balkrishna Joshi v/s Dr. Trimbak Bapu Godbole & Anr. AIR 1969 SC 128.
1.12 Chapterisation:

I. Historical Evolution of Consumer Protection Law in India.
II. Consumer Protection under Law of Tort.
III. Concept of Consumerism Globally.
IV. Consumer Protection under the Consumer Protection Law.
V. Functioning of Consumer Redressal Forums.
VI. Judicial Response relating to Consumer Protection.
VII. Consumer Protection Law vis-a-vis right of People in Rural Area.
VIII. Conclusion and Suggestions.